

Remarks

Claims 1-33 are currently pending. Claims 1-27 have been rejected under section 101. Claim 28 has been allowed. Claims 1, 10 and 22 are currently amended. Claims 29 to 33 are currently added. The Applicants thank the Examiner for allowing claim 28.

The specification has been amended to correct obvious typographical errors, and thus the corrections do not constitute new matter within the meaning of 35 U.S.C. § 132. One typographical error is that the R²-O-CH₂ group in compound (VII) being connected to the wrong carbon. This mistake is obvious and no new matter is added. Compound (V) has the group in the right position, and it is obvious that the group would not move after reaction of compound (V) with compound (VI). Additionally, compound (VII) is an intermediate in the synthesis of paroxetine and it is obvious that the group on compound (VII) should be at the same position as in paroxetine. Claim 1 has been amended accordingly to fix the typographical error. The Applicants wish to remind the Examiner that claim 1 is a process claim, and not a composition claim. Accordingly, the rejection under section 101 is moot.

Claim 22 has been amended to claim the salt as prepared in the examples of the present invention. Claim 30 depends on claim 22 and also has support in the examples. Support for the solvents used in claim 31 is also found in the examples (and original claims 17 and 19).

Since claim 28 has been allowed, the Applicants would appreciate allowance of the other claims since the issues raised in the office action have been fully addressed.

If the Examiner has any questions concerning this response, he or she is invited to contact the undersigned at the number below.

The Patent Office is hereby authorized to charge any fee that may be due in order to fully consider this preliminary amendment to Kenyon & Kenyon deposit account No. 11-0600.

Respectfully Submitted,

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